

Part B State Annual Performance Report (APR) for 2008-2009

Overview of the Annual Performance Report Development:

The Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the State Performance Plan (SPP) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning: (a) the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The SEAC reviewed the draft and provided suggestions and input. These were incorporated into the final copy of the SPP. Progress and slippage in meeting the targets in the SPP are discussed in detail in each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

http://www.ride.ri.gov/Special_Populations/State_federal_regulations/Default.aspx.

Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). This year per OSEP, RIDE will publicly report on Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13, and 14. This, per OSEP, will occur no later than June 2, 2010. The link to access Rhode Island's public reporting information which details the performance of each LEA on the targets in the SPP is:

https://www.eride.ri.gov/eride2K5/SPED_PublicReporting/.

Monitoring Priority: Early Childhood Transition

Indicator –#12: – Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

Measurement:

- # of children who have been served in Part C and referred to Part B for eligibility determination.
- # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- # of those found eligible who have an IEP developed and implemented by their third birthdays.
- # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.

Account for children included in a, but not included in b, c or d. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b - d) times 100.

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FFY	Measurable and Rigorous Target						
2004 (2004-2005)	Target set by the Secretary at 100% <i>In 2004, 635 children were referred from Part C. A process by which actual names were then matched with RIDE census reports indicated that 564 of those children were eligible for Part B. However, date of initial IEP was not data that the state collected at that time and thus it is not possible to calculate the percent of children referred by Part C and found eligible for Part B who had IEPs developed and implemented by their third birthday.</i>						
2005 (2005-2006) <i>Progress Data</i>	Target set by the Secretary at 100% <i>998 children were referred to Part B from Part C</i> <i>405 children were found NOT eligible</i> <i>328 children had an IEP developed and implemented by their third birthday</i> <i>50 children had delays due to parental failure to provide consent</i> <i>[328/998-405-50]100 = 60</i> 60% of children referred by Part C and found eligible for Part B had IEPs developed and implemented by their third birthday. Delay factors were reported for some, but not all, children and are as follows: <i>24 children were delayed due to late referral from Early Intervention</i> <i>6 children were delayed due to child illness</i> <i>72 children were delayed due to their birthday occurring during a period of school closing</i> <i>17 children were delayed due to outside evaluations extending beyond the third birthday</i> <i>22 children were delayed due to other factors not specified</i> Data collection during this year did not include range of delays.						
2006 (2006-2007) <i>Progress Data</i>	Target set by the Secretary at 100% <i>945 children were referred to Part B from Part C</i> <i>330 children were found NOT eligible</i> <i>430 children had an IEP developed and implemented by their third birthday</i> <i>60 children had delays due to parental failure to provide consent</i> <i>[430/945-330-60]100 = 77</i> 77% of children referred by Part C and found eligible for Part B had IEPs developed and implemented by their third birthday. Range of delays is indicated below:						
Range of Delays		>10 days	10-20 days	21-30 days	31-40 days	41-60 days	61 days or more
		61	38	16	10	21	16

2007 (2007-2008) Progress Data	<p>Target set by the Secretary at 100%</p> <p>953 children were referred to Part B from Part C</p> <p>395 children were found NOT eligible</p> <p>456 children had an IEP developed and implemented by their third birthday</p> <p>8 children had delays due to parental failure to provide consent</p> <p>$[456/(953-395-8)]100=83$</p> <p>83% of children referred by Part C and found eligible for Part B had IEPs developed and implemented by their third birthday.</p> <p>Range of delays is indicated below:</p> <table><tr><th>Range of Delays</th><th>>10 days</th><th>10-20 days</th><th>21-30 days</th><th>31-40 days</th><th>41-60 days</th><th>61 days or more</th></tr><tr><td></td><td>73</td><td>53</td><td>26</td><td>11</td><td>13</td><td>17</td></tr></table>	Range of Delays	>10 days	10-20 days	21-30 days	31-40 days	41-60 days	61 days or more		73	53	26	11	13	17
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	<p><i>Target set by the Secretary at 100%</i></p>														
<p>2008</p> <p>(2008-2009)</p> <p>Progress Data</p>	<p>Target set by the Secretary at 100%</p> <p>1012 children were referred to Part B from Part C</p> <p>336 children were found NOT eligible</p> <p>548 children had an IEP developed and implemented by their third birthday</p> <p>46 children for whom parent refusals to provide consent caused delays in evaluation or initial services</p> <p>$[548/(1012-336-46)]100=87\%$</p> <p>87% of children referred by Part C and found eligible for Part B had IEPs developed and implemented by their third birthday.</p> <p>Range of delays is indicated below:</p> <table><tr><th>Range of Delays</th><th>>10 days</th><th>10-20 days</th><th>21-30 days</th><th>31-40 days</th><th>41-60 days</th><th>61 days or more</th></tr><tr><td></td><td>89</td><td>64</td><td>11</td><td>9</td><td>15</td><td>9</td></tr></table>	Range of Delays	>10 days	10-20 days	21-30 days	31-40 days	41-60 days	61 days or more		89	64	11	9	15	9
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Actual Target Data for FFY 2008: Targets were set by the Secretary at 100%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-2009:

Rhode Island Department of Education is in the process of establishing a system that provides for triangulation of data collection. The primary source continues to be the data reported in the Consolidated

Resource Plan. Secondary sources include data reported at the initial IEP and data reported to RIDE from the Department of Human Services Early Intervention data collection system.

The primary data source uses the LEA's application for their federal funds, the Consolidated Resource Plan (CRP), to collect data for this indicator. District CRPs are due June 1st and districts submit data through May 31st with that application. RIDE issues a separate information request to obtain the transition data for the remainder of the reporting period through June 30th.

The CRP allows for electronic data collection specifically designed to ensure complete information regarding number of children transitioning from Part C to Part B eligibility determinations, timeliness of transition, and if transition delay occurred the reason for that delay and the length of that delay. The system, for example will provide an error message when the number of children found eligible for Part B does not equal the number of children who had an IEP in place by their third birthday plus the number of children who were delayed. LEAs also receive an error message if they enter numbers under the delay category "other", but do not provide an explanation in the corresponding text box. Additionally, the CRP requires the LEA to describe their data collection practices. A review of the LEA responses indicates that all LEAs are utilizing a centralized tracking system and are recording information in an ongoing, systematic manner. Finally, the CRP requires the LEA to develop improvement plans based on their transition data. These plans are reviewed annually and compared with improvement plans from previous years to determine their effectiveness. If a district is determined noncompliant with this indicator, a letter is sent notifying them of their status and directing them to develop an improvement plan to address this non-compliance. Upon receiving guidance from OSEP regarding delayed referrals from Part C, one LEA was issued a finding of compliance for 2007-2008. Prior to receiving this guidance the data provided by districts was not reliable and determination did not include the delayed referral from Part C guidelines. Upon notification to the LEA of non-compliance, an individualized support plan was developed. A review of the current year's CRP indicates that the non-compliance has been corrected and appropriate improvement plans have been developed.

The second method of data collection is collected at the initial IEP meeting for each student eligible for early childhood special education. The data collection page of the IEP (Section 38, see Appendix) was developed specifically for Early Intervention Transition and is completed at the initial IEP meeting and entered into the Department of Education's data collection system, eRIDE, by district census clerks. This system affords the state additional assurance of the reliability of transition data as the page is completed at the child's first IEP meeting by a diverse group which includes the parent. Districts have been instructed to use this form since September 2007; however, this is the first year that eRIDE data was evaluated as a data source. Review of this second data source suggests that the data currently lacks the fidelity required for reporting and that the system requires refinement. Specifically LEAs will require reminders that this portion of the IEP is a required reporting component for all students transitioning from Part C. The system will also be altered to make completion of data collection page mandatory at all initial IEP meetings. The data reported did suggest some confirmation in the number of children who had delays in the development and implementation of IEP. The IEP data collection reported that there were delays for 132 children in the development and implementation of the IEP, while the CRP data source identified 128 children in this category.

The third source of data collection is found in the comparison of data reported from the Department of Human Services (DHS), the lead agency for Part C. Part C reported 618 children exiting found eligible for Part B. Part B reported 676 children in this category. This discrepancy of 58 children could be due to multiple factors: differences inherent in different reporting calendars, system disparities, and error factors. Additionally, DHS data indicates that 103 children exited EI without a Part B eligibility determination and developed IEP. Department of Education data indicates that 128 children fell into this category. While the difference of 25 students between reporting systems will be investigated, the discrepancies are generally interpreted as reflecting the lack of system and process discrepancies.

The difficulties demonstrated in evaluating three data sources underscore the importance of developing greater consistency in the data collection system. The state has continued to work toward a data collection effort focused on collaborating with the Department of Human Services to issue a unique student identifier (SASID) to all children enrolled in Early Intervention. An interagency agreement signed

by the Commissioner of Education and Director of the Department of Human Services review allowing Part C to assign children a unique identifier that could be used by both Part C and Part B has been delayed. RIDE continues to be committed to use of this identifier which would allow for the unequivocal determination whether children who were referred from EI and were determined to be eligible for special education services, had an IEP developed and implemented by their third birthday. With a shared unique identifier, the state will be able to compare the information provided by Part C, the date of birth, and the initial date of the child's IEP. The state views this as the most reliable method of collecting the data required for this indicator. Additionally, the implementation of the unique student identifier has the potential to reduce the number of late referrals to transition. This work has been delayed due to fiscal constraints, personnel changes, as well as work force capacity at the Department of Human Services (DHS). The fiscal constraints are related to the cost of building a new field for the SASID within the Part C data collection system. The time required to regularly assign new Part C students a SASID is the primary workforce capacity issue. Recently, the state began to explore the possibility of linking the SASID with the Kidsnet data system managed by the Department of Health. Kidsnet is a large data system which includes public health information on all children in Rhode Island. Part C programs in RI enter information into Kidsnet. Linking the RIDE student identifier to the Kidsnet data system would eliminate many of the barriers to the data sharing between Part C and Part B. The system would require only minor revision which decreases the cost and Kidsnet is more user friendly which decreases the personnel expense. At this time, Part B staff are drafting a proposal for review by the legal department.

In summary, the state will continue to work toward establishing multiple reliable data sources to ensure the fidelity required in monitoring effective transition practices. The state's efforts to collect more accurate data for this indicator and its commitment to the development of district improvement plans are reflected in the measurable progress toward reaching the target of 100%. The state has moved from 77% (2006-2007) to 83% (2007-2008) to 87% (2008-2009) of children referred from Part C and who are eligible for Part B, having an IEP developed and implemented by their third birthday. Eighty-two unacceptable delay factors were identified. In the category "Other", scheduling difficulties related to evaluation/scheduling accounted for 67% of the delays reported, staffing shortages accounted for 22% of the delays with assorted other issues accounting for the remaining 11%. The following table delineates delay factors not allowed by OSEP:

<i>Number of children delayed</i>	<i>Reason for delay</i>
6	<i>Child Illness</i>
18	<i>Other</i>
58	<i>Late referral from Early Intervention</i>

The majority of those delay factors were short-term delays, as indicated below:

<i>Range of Delays</i>	<i>>10 days</i>	<i>10-20 days</i>	<i>21-30 days</i>	<i>31-40 days</i>	<i>41-60 days</i>	<i>61 days or more</i>
<i>Number of children</i>	89	64	11	9	15	9

In the 2008-2009 data collection, the information collected specific to the range of time children were delayed included all delay factors (e.g. children who turned three during a period of school closing, but who had an IEP developed before their third birthday or parental refusal to provide consent), but did not link time of delay with the specific delay factor. Those children are included in the range of delay table and arguably account for most of the more prolonged delay periods. Additional delays were associated with previously identified child illness, delays in evaluation, staff shortages and an assortment of systems issues. Modification in the 2009-2010 CRP reporting system is planned to establish a link between the time of delay and specific factor for delay.

Although RI did not meet the FFY 2009 of 100% compliance for Indicator #12, 12 of the 30 LEAS reporting did achieve the target. The majority of the districts have demonstrated progress toward the target of 100%. Districts will be notified of non-compliance and required to develop an improvement plan. For districts who fall significantly below the target, a meeting will be held with the Special Education Director and RIDE Education Specialists to collaborate in the development of corrective action.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-2010:

The proposed improvement target for 2008-2009 is set at 100% of children referred from Part C and found eligible for Part B will have an IEP developed and implemented by their third birthday. In continued collaboration with stakeholders, activities, timelines, and resources will be identified to improve state performance on this indicator and to reach the levels of performance for delineated targets.

Improvement Activity	Timelines	Resources
RIDE will review the 2009-2010 Part B and Part C data with Part C representatives to assess comparability of the separate data collections systems, to identify patterns specific to individual delay factors and to examine procedures and process associated with eligibility determination.	March 2010	RI Department of Education, Office for Diverse Learners personnel (ODL, Part B) and the Department of Human Service (DHS, Part C) and other collaborative partnerships and stakeholders
A Transition Subcommittee of Part C and Part B service providers and parents will be established to review the Transition process and guidelines in order to identify and ameliorate any issues/barriers creating delays associated with transition.	February – March 2010	RI Department of Education, Office for Diverse Learners personnel (ODL, Part B) and the Department of Human Service (DHS, Part C), Early Intervention Providers, LEA representative and parents.
Data will be delineated by district and early intervention provider. RIDE will review identified patterns of delayed transition with appropriate LEAs to elicit more detailed information.	March 2010	RI Department of Education, Office for Diverse Learners personnel (ODL, Part B) and the Department of Human Service (DHS, Part C), and LEA representatives.
Targeted improvement plans will	April 2010 and onward	RI Department of Education,

be developed and implemented in districts and/or early intervention programs that data indicates are performing below the standard.		Office for Diverse Learners personnel (ODL, Part B) and the Department of Human Service (DHS, Part C) and other collaborative partnerships and stakeholders
RIDE will continue to provide training and technical assistance to ensure that the LEAs are completing data collection forms and tables in accordance with OSEP guidelines.	September 2010 and onward	RI Department of Education, Office for Diverse Learners personnel (ODL, Part B)
RIDE will continue to monitor and modify data collection reporting systems to establish greater reliability and validity of the data.	February 2010 and onward	
RIDE will continue to pursue the implementation of the use of a shared student identifier to be used by both RIDE and the Department of Human Services, which oversees IDEA Part C.	2010 and onward	RI Department of Education, Office for Diverse Learners personnel (ODL, Part B) and the Department of Human Service (DHS, Part C) and other collaborative partnerships and stakeholders